

James K. Schultz, Esq. (SBN 309945)  
Tuan Van Uong, Esq. (SBN 272447)  
SESSIONS ISRAEL & SHARTLE, L.L.P.  
1550 Hotel Circle North, Suite 260  
San Diego, CA 92108-3426  
Tel: 619/758-1891  
Fax: 877/334-0661  
jschultz@sessions.legal  
tuong@sessions.legal

Attorneys for Defendant  
Radius Global Solutions, LLC

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

ARTIS-RAY CASH, JR.,	)	Case No.: 2:25-cv-01481-DMG-JDE
	)	
Plaintiff,	)	<b>DEFENDANT RADIUS GLOBAL</b>
	)	<b>SOLUTIONS, LLC'S NOTICE OF</b>
vs.	)	<b>MOTION AND MOTION TO</b>
	)	<b>DISMISS PLAINTFF'S</b>
RADIUS GLOBAL SOLUTIONS, LLC,	)	<b>COMPLAINT PURSUANT TO 28</b>
	)	<b>U.S.C. § 1915(e)(2)(A)</b>
	)	
Defendant.	)	<b>Date: August 15, 2025</b>
	)	<b>Time: 9:30 a.m.</b>
	)	<b>Courtroom: 8C, 8<sup>th</sup> Floor</b>

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1           **TO THE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF**  
2 **RECORD:**

3           **PLEASE TAKE NOTICE** that on August 15, 2025 at 9:30 a.m., or as soon  
4 thereafter as may be heard in Courtroom 8C in the United States District Court,  
5 located at, 350 West 1st Street, Los Angeles, California 90012, before the Honorable  
6 Dolly M. Gee, Defendant Radius Global Solutions, LLC (“Defendant” or “RGS”),  
7 by and through its undersigned attorneys, will and hereby does move this Court,  
8 pursuant to 28 U.S.C. § 1915(e)(2)(A), for an Order dismissing Plaintiff Artis-Ray  
9 Cash Jr.’s (“Plaintiff”) Complaint with prejudice (the “Motion”).

10           This Motion is made on the grounds that Plaintiff’s allegation of poverty in  
11 his request to proceed *in forma pauperis* was untrue and made in bad faith.

12           This Motion is based on this Notice of Motion, the attached Memorandum of  
13 Points and Authorities, the declaration of Tuan V. Uong and all exhibits thereto, all  
14 of the pleadings, records and files herein, those matters of which the Court may  
15 take judicial notice, and upon such other oral and documentary evidence as may be  
16 presented in connection with this Motion.

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18                           **Local Rule 7-3 Certification**

19           This Motion is made following the conference of counsel pursuant to  
20 L.R. 7-3 which took place on or about May 7, 2025.

21  
22  
23 Dated: 6/5/25

SESSIONS, ISRAEL & SHARTLE, L.L.P.

24                           /s/ Tuan Van Uong

25                           Tuan Van Uong

26                           Attorney for Defendant

27                           Radius Global Solutions, LLC

**MEMORANDUM OF POINTS AND AUTHORITIES**

**I. Introduction**

On February 21, 2025, Plaintiff Artis-Ray Cash, Jr. (“Plaintiff”) initiated this lawsuit against Defendant Radius Global Solutions, LLC (“RGS”), claiming that RGS lacked a permissible purpose to access his credit report.<sup>1</sup> As part of the lawsuit, Plaintiff filed a request to proceed *in forma pauperis* (“IFP”) due to alleged poverty status. Based on Plaintiff’s representations to this Court (Dkt. No. 2), the Court granted his application (Dkt. 7). Plaintiff misled the Court.

Plaintiff’s representations to this Court were untruthful and made in bad faith. Plaintiff is a serial litigant who has filed over twenty actions in this district alone and has repeatedly failed to disclose income from his numerous settlements in his IFP applications. To understand Plaintiff’s scheme, the Court need not look much further than the recent order from Judge John W. Holcomb, who granted the same motion that is being brought now before this Court by RGS, in the matter of *Artist-Ray Cash Jr. v. Experian Information Solutions, Inc., et al.*, United States District Court, Central District of California, Case No. 8:25-cv-00165-JWH-ADSx. There, Judge Holcomb found Plaintiff to be a “serial litigant,” that Plaintiff failed to disclose income from his settlements in his IFP application, and further concluded that Plaintiff likely “deliberately concealed his prior settlement income in order to gain access to this Court without prepayment of filing fees.” *Id.*, at Dkt. No. 29.

The same is true in this case. Plaintiff’s IFP application before this Court is virtually identical to the false representations Plaintiff made in his IFP application to Judge Holcomb, which resulted in a dismissal with prejudice. *Id.* There is no reason

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<sup>1</sup> While not pertinent to the present motion, RGS contends that it had a lawful and permissible purpose to review Plaintiff’s credit report in connection with an attempt to collect a debt. *See Jones v. Best Serv. Co.*, 700 F. App’x 580, 581 (9th Cir. 2017) (“[T]he district court properly dismissed [plaintiff’s] FCRA claim because [plaintiff] failed to allege that the defendant, a debt collector, had requested his credit report for any reason other than to attempt to collect on the debt, and requesting a credit report with the intent to collect on a debt is one of the permissible purposes under the FCRA.”).

1 why this Court should not also dismiss Plaintiff's lawsuit with prejudice in this matter  
2 as well. Indeed, the Court should do so to deter future abuse of the judicial system.

3 At bottom, Plaintiff's concealment of these settlements constitutes bad faith  
4 and an abuse of the *in forma pauperis* privilege. Pursuant to 28 U.S.C. §  
5 1915(e)(2)(A), the appropriate remedy is dismissal of the Complaint with prejudice.

## 6 **II. Legal Standard**

7 "To proceed *in forma pauperis* is a privilege not a right." *Smart v. Heinze*,  
8 347 F.2d 114, 116 (9th Cir. 1965). The *in forma pauperis* ("IFP") statute requires  
9 dismissal of a case "at any time if the court determines that . . . the allegation of  
10 poverty is untrue . . . ." 28 U.S.C. § 1915(e)(2)(A); *see also Roberts v. Beard*, No.  
11 15CV1044-WQH-RBM, 2019 WL 3532183, at \*3 (S.D. Cal. Aug. 2, 2019).

12 "To dismiss [a] complaint pursuant to § 1915(e)(2), a showing of bad faith is  
13 required . . . ." *Roberts*, 2019 WL 3532183 at \*3; *quoting Escobedo v. Applebees*,  
14 787 F.3d 1226, 1235 n.8 (9th Cir. 2015). Bad faith "'includes deliberate concealment  
15 of income in order to gain access to a court without prepayment of filing fees . . . .'"  
16 *Roberts*, 2019 WL 3532183 at \*3-4 (dismissing complaint with prejudice because  
17 the plaintiff concealed settlement proceeds); *quoting Vann v. Comm'r of N.Y.C.*  
18 *Dep't of Corr.*, 496 F. App'x 113, 115 (2d Cir. 2012).

19 Indeed, "courts routinely dismiss with prejudice cases upon finding that the  
20 plaintiff has intentionally withheld information that may have disqualified plaintiff  
21 from obtaining IFP status or has otherwise manipulated his finances to make it appear  
22 that a plaintiff is poorer than he actually is; *i.e.*, where the facts show that the  
23 inaccuracy on the IFP application resulted from the plaintiff's bad faith." *Witkin v.*  
24 *Lee*, No. 2:17-cv-0232-JAM-EFB P, 2020 WL 2512383, \*3-4 (E.D. Cal. May 15,  
25 2020), *report and recommendation adopted*, 2020 WL 4350094 (E.D. Cal. July 29,  
26 2020); *see also Vann*, 496 F. App'x at 115 (holding that, "dismissal under §  
27 1915(e)(2)(A) is certainly appropriate where a plaintiff conceals or misrepresents his  
or her financial assets or history in bad faith to obtain *in forma pauperis* status.").

When determining if a plaintiff acted in bad faith, “a court may consider a plaintiff’s familiarity with the *in forma pauperis* system and history of litigation.” *Vann*, 496 F. App’x at 115; *see also Roberts*, 2019 WL 3532183 at \*4.

### III. Legal Argument

#### A. Plaintiff Concealed Numerous Settlements on His IFP Application

It is without exaggeration that Plaintiff is a serial litigant. Plaintiff has filed at least twenty-two lawsuits in this district alone.<sup>2</sup> Declaration of Tuan V. Uong (“Uong Decl.”), ¶ 2. Except for two cases, Plaintiff filed IFP applications claiming poverty. *Id.* at ¶¶ 2- 3.

Based on PACER, at least four of these lawsuits resulted in settlements. *Id.* at ¶¶ 4-5, 11, 15.. Plaintiff reached one of his most recent settlements on or before January 27, 2025, in the matter of *Cash v. Maximus, Inc.*, Case No. 24-cv-09094, and another settlement on or before February 4, 2025, in the matter of *Cash v. Vervent, Inc.*, Case No. 24-cv-10359. *Id.* at ¶¶ 11, 15. On or before July 22, 2024, Plaintiff also reached settlement in the matter of *Cash v. Midland Credit Management, Inc., et al.*, Case No. 23-cv-10126, a case in which he demanded \$2,000,000 in damages. *Id.* at ¶ 5. Another settlement was reached on February 13, 2024, in the matter of *Artis-Ray Cash v. Experian Information Solutions, Inc.*, Case No. 2:23-cv-06688-FMO-JC. *Id.* at ¶ 4.

Plaintiff filed the present case on February 21, 2025. Dkt. No. 1. Despite numerous filed cases and several recent settlements, Plaintiff failed to disclose any settlement proceeds in his IFP application before this Court. Dkt. No. 2. Question 2 of

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<sup>2</sup> The Court can take judicial notice of these public filings pursuant to Federal Rule of Evidence 201, which provides that, “[t]he court may judicially notice a fact that is not subject to reasonable dispute because it: (1) is generally known within the trial court’s territorial jurisdiction; or (2) can be accurately and readily determined from sources whose accuracy cannot reasonably be questioned.” FRE Rule 201; *see also Lee v. City of Los Angeles*, 250 F.3d 668, 689 (9th Cir. 2001) (taking judicial notice of documents of undisputed matters of public record); *Bennett v. Medtronic, Inc.*, 285 F.3d 801, 803 n. 2 (9th Cir. 2022) (taking judicial notice of documents on file in federal or state courts).

1 the IFP application asks, “Have you received, within the past twelve months, any money  
2 from any of the following sources?”, and lists sources of money, including a catchall  
3 provision for “[a]ny other income (other than listed above).” *Id.* Plaintiff checked “no”  
4 for all sources. *Id.* Moreover, Plaintiff declared under penalty of perjury that the  
5 responses he made were true, correct and complete. *Id.*

6 Plaintiff’s IFP application, thus, required Plaintiff to disclose the settlement  
7 proceeds he received in the twelve months leading up to his filing of the IFP application.  
8 However, he failed to do so. Instead, Plaintiff concealed crucial information that was  
9 necessary for the Court to make an accurate assessment of his eligibility for relief under  
10 the IFP statute. Plaintiff’s intentional efforts at concealment cannot be countenance.

11 **B. Plaintiff’s Concealment of His Settlements Was in Bad Faith**

12 This is not Plaintiff’s first offense. Plaintiff is an experienced litigant who has  
13 filed twenty-two actions in this district. Uong Decl., at ¶ 2. Plaintiff filed nineteen cases  
14 between August 2023 and February 2025. *Id.* Out of the twenty cases in which Plaintiff  
15 requested IFP status (including this case), fifteen were granted and five were denied. *Id.*  
16 at ¶¶ 4-23. In at least one case, the court denied Plaintiff’s IFP application, finding that  
17 Plaintiff had the ability to pay. *Id.* at ¶ 6.

18 Most recently, Judge Holcomb dismissed Plaintiff’s lawsuit with prejudice based  
19 on the same motion being brought before this Court in the matter of *Artist-Ray Cash*  
20 *Jr. v. Experian Information Solutions, Inc., et al.*, United States District Court,  
21 Central District of California, Case No. 8:25-cv-00165-JWH-ADSx, Dkt. No. 29;  
22 Uong Decl., ¶ 23; Exh. A. There, Judge Holcomb found Plaintiff to be a “serial  
23 litigant,” that Plaintiff failed to disclose income from his settlements in his IFP  
24 application, and further concluded that Plaintiff likely “deliberately concealed his  
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1 prior settlement income in order to gain access to this Court without prepayment of  
2 filing fees.”<sup>3</sup> *Id.*

3 Plaintiff’s extensive history of prosecuting claims, with cases filed in quick  
4 and methodical succession, demonstrates a sophisticated and calculated litigant.  
5 Plaintiff displays a pattern of familiarity and sophistication with court methods and  
6 procedures. As such, Plaintiff’s failure to disclose settlements on his IFP application  
7 was no accident, but rather, constitutes bad faith. *See Roberts*, 2019 WL 3532183,  
8 at \*3 (rejecting the plaintiff’s claim that omission of a settlement was an oversight  
9 based on the plaintiff’s extensive litigation history and familiarity with the IFP  
10 process). Indeed, this is not the first time Plaintiff has misled this Court. Plaintiff  
11 also previously requested and was granted IFP status with this Court in the matter of  
12 *Artis-Ray Cash, Jr. v. Vervent, Inc.*, Case No. 2:24-cv-10359-DMG-BFM, which  
13 resulted in a settlement that was not disclosed to this Court. Uong Decl., at ¶ 15.

14 Accordingly, Plaintiff’s Complaint should be dismissed with prejudice  
15 outright to deter future and continuing abuse of the judicial process.

#### 16 **IV. Conclusion**

17 For the above reasons, Plaintiff’s Complaint should be dismissed with prejudice.

18 Dated: 6/5/2025

SESSIONS, ISRAEL & SHARTLE, L.L.P.

19 /s/ Tuan Van Uong

20 Tuan Van Uong

21 Attorney for Defendant

22 Radius Global Solutions, LLC

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27 <sup>3</sup> On May 9, 2025, Plaintiff file a motion under FRCP Rule 60. Dkt. No. 31. The court has not yet ruled on the motion. Uong Decl., ¶ 23.